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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,424	03/18/2004	Brian H. Kim	30320/19116	5534
4743	7590	11/29/2005	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			PALMER, PHAN T H	
			ART UNIT	PAPER NUMBER
			2874	

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,424

Applicant(s)

KIM ET AL.

Examiner

PHAN T.H. PALMER

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Phan Palmer
Phan Palmer
Primary Examiner

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 05/20/2005.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. Applicant's cooperation is requested in correcting any error of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Machado et al. (US 2003/0228799 A1).

The Machado et al. reference discloses in figures 2o and 2p an apparatus for releasably latching an electrical and/or optical module comprising:

- a housing (281) having a slotted mating element for coupling to a pivot element (290) and a receiving slot;
- a rotatable actuator (284) having a connector disposed within the receiving slot, the connector having a cam (286);
- a latching mechanism (289) comprising a pivot element for coupling with the slotted mating element, a latch (294) and a cam follower (291); and
- a biasing apparatus (296) to bias the latching mechanism to the latching position.

The Machado et al reference further states that apart from the pivot arrangement comprising a pivot element and a slotted mating element as shown in figures 2o and 2p, various other pivot arrangements may be used.

With regard to claims 1, 16, and 25, differs from the disclosure of Machado et al. in that the slotted mating element and the pivot element are interchanged. However, for the skilled person, this represents an obvious alternative to the pivot arrangement disclosed in Machado et al reference.

With regard to claims 2, 3, 5, 6, 19-22, and 27: the bias element comprises a first support member (the wider part towards the rear of the plate) which biases the slotted mating element against the pivot element, and a second support member (the narrower part towards the front of the plate), which biases the cam follower against the cam.

With regard to claim 4: the biasing apparatus may be a plate made of spring steel (i.e. a leaf spring).

With regard to claims 7, 8, 23, and 28: the first and second support members are (resiliently) moveable against each other, and are partially spaced apart from each other (figure 2o).

With regard to claims 9, 14, 15, 24, and 29: the Machado et al reference refers to various alternative biasing means, including spring members (paragraphs 91, 93), it would be obvious for the skilled person to include independently mountable biasing means.

With regard to claim 10: a resilient cam follower is disclosed in Machado et al reference, paragraph 91.

With regard to claim 11: deflection of the cam follower (291) rotates the latch (292) into a retracted position.

With regard to claim 12: it is obvious for the skilled person to employ flanges to mount the biasing apparatus to the housing.

With regard to claim 13: moulded or extruded plastic are obvious choices of materials that the skilled person would consider.

With regard to claims 17, and 18: small form-factor receptacles and transceivers are disclosed in the Machado et al. (paragraph 7).

With regard to claim 26: a cam (286) and cam follower (291) are disclosed in the Machado et al.

CONTACT INFORMATION

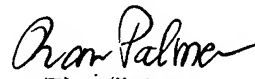
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHAN T.H. PALMER whose telephone number is (571) 272-2354. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RODNEY B. BOVERNICK can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2874

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTHP
11/27/2005


Phan Palmer
Primary Examiner